

*H Great Brit. George II*

*11405.10  
5*

[ 1 ]

*Read 3 April 1735*



*1735*

*A BILL for Restraining the  
Number of Houses for Playing of  
Interludes, and for the better Regu-  
lating Common Players of Inter-  
ludes.*



Whereas his Majesty King *Charles* the Second, did, by Letters Patent, bearing Date the twenty-fifth Day of *April*, in the Year of his Reign, give and grant unto *Thomas Killigrew*, his Heirs and Assigns, full Power, Licence and Authority of erecting one Theatre or Play-house, and of keeping Players and other Persons for acting Tragedies, Comedies, Plays, Operas, and other Entertainments of the Stage, with several Powers and Provisoos therein mentioned.

And whereas his said Majesty, did by other Letters Patent, bearing Date the fifteenth Day of *January*, in the fourteenth Year of his Reign, give and grant unto Sir *William Davenant*, his Heirs and Assigns, the like full Power, Licence and Authority of erecting one Theatre or Play-house, and of keeping Players and other Persons for acting Tragedies, Comedies, Plays, Operas, and other Entertainments of the Stage, with the like Powers and Provisoos; by both which Letters Patents afore-  
said, it is declared and enjoined, that all Companies of Players  
A other



other than the two above-mentioned, should be silenced and suppressed, and that no Play should be acted by either of the said Companies, containing any prophane, obscene or scurrilous Passage, or other Passage offensive to Piety or good Manners: Both which said Letters Patents have since, by several mesne Conveyances, been assigned to, and are now vested in *John Rich*, his Heirs and Assigns.

And whereas his present Majesty, [by Letters Patent] bearing Date the third Day of *July* in the fifth Year of his Reign, did give and grant unto *Robert Wilks*, *Colley Cibber*, and *Barton Booth*, Esquires, their Executors, Administrators and Assigns, for the Term of Twenty-one Years, to commence from the first Day of *September* One thousand seven hundred and thirty-two, the full Power, Licence and Authority, to form, entertain and keep a Company of Comedians to act Tragedies, Comedies, Plays, Operas, and other Performances of the Stage, with other Powers therein mentioned; which said Letters Patent, are by several mesne Conveyances, now vested in *Charles Fleetwood* and *Henry Giffard*, their Executors, Administrators and Assigns.

And whereas his said present Majesty did, by Letters Patent bearing Date the seventh Day of *July*, in the fifth Year of his Reign, incorporate several Persons therein named, for the Term of Twenty-one Years from the Date thereof, for carrying on Operas, and other Entertainments of Musick, by the Name of The Royal Academy of Musick, with several Powers and Privileges therein mentioned: Notwithstanding which said Letters Patent, diverse ill-disposed and disorderly Persons, have of late taken upon themselves, without any legal Authority, to act and represent Tragedies, Comedies, Plays, Operas, and other Entertainments of the Stage, within the Cities of *London* and *Westminster*, and the Suburbs thereof; and also in several other Places of this Kingdom; for which Purposes, several Theatres, Play-houses, or other Houses, have been erected for carrying on the same, in Defiance of the Laws of the Land; by Reason whereof great Mischiefs have already arisen, and much greater are likely to ensue, unless the same be timely prevented; and the Laws now in being, have been found insufficient for preventing this great and growing Evil:





[ 3 ]

For Remedy thereof, and to the End that an Effectual Stop may be put to these pernicious and illegal Practices, Be it Enacted,

By the KING's most Excellent MAJESTY,

By and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the

no Person or Persons shall act, represent or perform any Tragedy, Comedy, Opera, Play, Farce, or other Entertainment of the Stage, for Gain, Hire or Reward, other than, and except such Person or Persons in whom the Right and Property of, in, and to the said several Letters Patents, granted as aforesaid, to the said *Thomas Killegrew*, Sir *William Davenant*, *Robert Wilks*, *Colley Cibber*, and *Barton Booth*, and the said Charter of the Royal Academy of Musick, is vested, and their respective Deputies and Servants, during the Continuance of the Powers and Privileges to them by their several Letters Patents respectively granted.

Provided always, That whenever any of the said Letters Patents shall expire or be determined, it shall and may be lawful for his Majesty, his Heirs or Successors, by new Letters Patents under the Great Seal of *Great-Britain*, to authorize and empower any Person or Persons to act, represent, and perform Tragedies, Comedies, Operas, Plays and other Entertainments of the Stage, in the Room and Place of such Person or Persons, whose Letters Patents shall so expire or be determined, so that there shall not exceed the Number of                      Theatres or Play-houses, at one and the same Time; that is to say, Theatres or Play-houses, for acting or representing Plays Comedies, Tragedies, Operas, and other Entertainments of the Stage, and                      other Theatre or Opera-house for exercising and acting Operas, and exhibiting all other Entertainments of Musick; which said Theatres or Play-houses and Opera-house shall be situate within

thereof,



## [ 4 ]

thereof, and not elsewhere; nor shall any Tragedies, Comedies, Operas, Plays, or other Entertainments of the Stage, be acted, performed, or represented in the said Theatres or Play-houses, or Opera-house, or any of them, which shall contain any prophane, obscene, or scurrilous Passage, or any Passage offensive to Piety, or good Manners: And if any Person or Persons not authorized by this Act, or by Letters Patents from his Majesty, his Heirs, and Successors above-mentioned, shall presume to act, represent or perform any Tragedy, Comedy, Opera, Play, or other Entertainment of the Stage, for Gain, Hire, or Reward, such Person or Persons shall, notwithstanding any Settlement, be deemed adjudged and taken as

And if any such Person or Persons shall be found offending against this Act, the Mayor, Bailiff, or other Head-Officer of any City, Borough, or Town Corporate, or any Justice of the Peace of the same County, Riding or Division, within the Limits of their respective Jurisdictions, are hereby impowered and required to order such Person or Persons to forbear acting, representing, or performing any Part in any Tragedy, Comedy, Opera, Play, or other Entertainment of the Stage; and if any such Person or Persons, shall, after such Order served on him, her, or them, act, represent, or perform any Part in any Tragedy, Comedy, Opera, Play, or other Entertainment of the Stage, within the Limits aforesaid, and shall be thereof convicted, by Confession, or the Oath of shall

And in Case any Mayor, Bailiff, or other Head-Officer of any City, Borough, or Town Corporate, or Justice of Peace of any County, Riding or Division, shall, upon Com-



## [ 5 ]

Complaint or Information to him or them made, neglect or refuse to put this Law in Execution, every such Mayor, Bailiff, Head-Officer or Justice of the Peace, shall, for every such Neglect or Refusal, forfeit

And if any Person or Persons, Body Politick or Corporate, authorized or to be authorized by this Act, or by Letters Patent from his Majesty, his Heirs and Successors, as above-mentioned, shall act, perform, or represent, or suffer to be acted, performed, or represented, any Tragedy, Comedy, Opera, Play or other Entertainment of the Stage, containing any prophane, obscene or scurrilous Passage, or any Passage offensive to Piety and good Manners, or shall act, perform, or represent, or suffer to be acted, performed, or represented, any Tragedy, Comedy, Opera, Play, or other Entertainment of the Stage, in any House or Place not within

such Person or Persons, Body Politick or Corporate, shall for such Offence, forfeit

And every House or Place, not situate within

wherein any Tragedy, Comedy, Opera, Play, or other Entertainment of the Stage shall be acted, represented, or performed for Gain, Hire, or Reward, shall be deemed and adjudged

And be it further Enacted, That no Person or Persons authorized or to be authorized, as aforesaid, shall, by themselves, their Deputies, Agents or Servants, upon any Pretence or Occasion whatsoever, take or receive from any Person or Persons who shall resort to, or be admitted into any Play-house, Theatre, or other Place, to see or hear any Tragedy, Comedy, Opera, Play, or other Entertainment of the Stage, any more or greater Price, Hire, or Reward than what hath hitherto been usually and customarily taken and received for the same, upon common and ordinary Occasions; and if any Person or Persons shall take, or cause to be taken or received for the same, any greater Price, Hire, or Reward than as before-mentioned, such Person or Persons shall



**Provided** always, and be it **Enacted**, That if any Tragedy, Comedy, Opera, Play, or other Entertainment of the Stage, shall be acted, represented, or performed in any House or Place where Wine, Ale, Beer, or other Liquors shall be publicly sold and retailed, the same shall be deemed, adjudged, and taken to be acted, represented, and performed for Gain, Hire, and Reward.

**And** be it **Enacted**, That all  
 shall be recovered by Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, in which no *Essoin*, Protection or Wager of Law, shall be allowed, or in a summary Way, before Justices of the Peace of the County, Riding, or Division, where such Offence shall be committed; and if any Person or Persons, shall think him, her, or themselves aggrieved by the Order or Orders of such Justices of the Peace, it shall, and may be lawful for such Person or Persons, to appeal therefrom to the next General Quarter-Sessions to be held for the said County, Riding, or Division, whose Order therein, shall be final and conclusive; and all for any Offence or Offences against this Act, shall go and belong

**Provided** always, and it is hereby **Declared**, That nothing in this Act contained, shall extend, or be construed to extend to any Person or Persons, on Account of his, her, or their acting, representing or performing any Tragedy, Comedy, Opera, Play, or other Entertainment of the Stage, within any of his Majesty's Royal Palaces, during such Time as his Majesty, or any of the Royal Family shall reside therein.

**And** be it further **Enacted**, That no Person or Persons, shall be liable to any

by Reason of any Offence or Offences committed against this Act, unless such Person or Persons be sued, prosecuted, or informed against, within the Space of  
 next after such Offence or Offences committed.

And



[ 7 ]

And if any Action or Suit shall be commenced or brought against any Justice of Peace, or other Person, for doing, or causing to be done, any thing in Pursuance of this Act, such Action or Suit shall be commenced within Months next after the Fact committed, and not afterwards; and the Defendant and Defendants, in such Action or Suit, may plead the General Issue, and give the special Matter in Evidence; and if upon such Action or Suit, a Verdict be given for the Defendant or Defendants, or the Plaintiff or Plaintiffs become Nonsuit, or discontinue his or their Action, then the Defendant or Defendants shall have Costs, and have the like Remedy for the same, as any Defendant or Defendants hath, or have in other Cases by Law.

Be it also Enacted, by the Authority aforesaid, That this Act shall be deemed a publick Act, and shall be so adjudged and taken in all Courts of Justice, without special Pleading of the same



29 MA 55

*A BILL for Restraining the  
Number of Houses for Playing  
of Interludes, and for the better  
Regulating Common Players of  
Interludes.*

1735:



